

On October 14, 1918, Caldarone & Grillo, Boston, Mass., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$7,000, in conformity with section 10 of the act, conditioned in part that the product should be shipped to Boston, Mass., there to be duly inspected by a representative of this department after the same had been sorted.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6805. Adulteration and misbranding of oil of birch. U. S. * * * v. Two 90-pound Cans and Five 55-pound Cans of Oil of Birch. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9182. I. S. No. 13604-r. S. No. E-1077.)

On August 6, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of two 90-pound cans and five 55-pound cans of oil of birch, remaining unsold in the original unbroken packages, at New York, N. Y., alleging that the article had been shipped on or about July 18, 1918, by T. J. Ray, Watauga, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted in whole or in part of synthetic methyl salicylate.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, which differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopoeia, and its strength and purity fell below the professed standard and quality under which it was sold. Adulteration of the article was alleged for the further reason that a certain substance, to wit, synthetic methyl salicylate, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oil of birch, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, oil of birch.

On November 2, 1918, the said Thomas J. Ray, Elk Park, N. C., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$910, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as imitation oil of birch.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6806. Adulteration and misbranding of oil of birch. U. S. * * * v. 5 Cans * * * of Oil of Birch. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9183. I. S. No. 13608-r. S. No. E-1082.)

On August 6, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of five cans, each containing 55 pounds of oil of birch, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the

article had been shipped on or about July 25, 1918, by M. G. Teaster, Roan Mountain, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "M. G. Teaster Roan Mtn., Tenn. * * * Birch Oil."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted in whole or in part of synthetic methyl salicylate.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, which differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopoeia, and its strength and purity fell below the professed standard and quality under which it was sold. Adulteration of the article was alleged for the further reason that a certain substance, to wit, synthetic methyl salicylate, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oil of birch, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, oil of birch, and for the further reason that the statement on the invoice, to wit, "Oil of Birch," was false and misleading, and deceived and misled the purchaser.

On November 2, 1918, the said M. G. Teaster, Elk Park, N. C., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$550, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as imitation oil of birch.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6897. Misbranding of Hokara Blood Tablets. U. S. * * * v. J. D. McCann Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 9199. I. S. No. 2919-p.)

On April 22, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. D. McCann Co., a corporation, Hornell, N. Y., alleging shipment on or about August 17, 1917, by said company, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Pennsylvania, of a quantity of an article, labeled in part "Hokara Blood Tablets," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted of red tablets coated with calcium carbonate and sugar and contained essentially podophyllum resin, potassium nitrate, and capsicum.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements borne on the labels of the packages falsely and fraudulently represented it as a treatment, remedy, and cure for skin diseases, cancer, scrofula, rheumatism, and neuralgia and effective to act on all glandular organs, and to remove uric acid and all impurities from the system, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements appearing in the booklet accompanying the article falsely and fraudulently represented it as effective to purify the blood, and effective, when